

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:

Shigenori Aoki, et al.

Serial No.:

10/761,619

Filed:

January 21, 2004

VARIABLE OPTICAL ATTENUATOR For: HAVING A WAVEGUIDE AND AN OPTICALLY COUPLED LAYER WITH A POWER MONITOR

Art Group Unit: Unknown

Examiner:

Unknown

Attorney Docket: 02EK-106093

CERTIFICATE OF MAILING/TRANSMISSION (37 C.F.R. § 1.8A)

I hereby certify that this correspondence is, on the date shown below, being:

(X) deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to:

> Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450.

() transmitted by facsimile to the Patent and Trademark Office.

INFORMATION DISCLOSURE STATEMENT PURSUANT TO 37 C.F.R. §1.56 AND §§1.97-1.98

Commissioner for Patents P.O. Box 1450 Alexandria, CA 22313-1450

Sir:

The citations listed on the enclosed PTO-1449 Form are submitted under 37 C.F.R. §§1.97 and 1.98, and in compliance with the duty of disclosure as defined in 37 C.F.R. §1.56.

The Examiner is requested to make these citations officially of record in the application. This Information Disclosure Statement is being submitted before receipt of the first Office Action for the above-identified application, therefore, pursuant to 37 C.F.R. §1.97, no fee or certification is required.

This Information Disclosure Statement is not to be construed as a representation or admission that any of the listed citations, by itself or in combination with other information, is material to patentability, is, in fact, prior art, or establishes or a prima facie case of unpatentability of any claim in the above-identified application. Additionally, this Information Disclosure Statement is not to be construed as a representation that a further search of the art has been made by Applicants, or that additional information relevant to the examination of this application does not exist unbeknownst to Applicants.

February 13, 2004

SHEPPARD MULLIN RICHTER & HAMPTON LLP Four Embarcadero Center, 17th Floor San Francisco, CA 94111-4106 Telephone (415) 434-9100 Facsimile (415) 434-3947 Respectfully submitted,

David Schnapf

Registration No. 31,566

LIST OF PATENTS AND PUBLICATIONS FOR APPLICANT(S)' INFORMATION DISCLOSURE STATEMENT (Use several sheets if necessary)					ATTY. DOCKET NO.		SERIA	SERIAL NO.		
					02EK-106093		10/761	10/761,619		
					APPLICANT: Shigenori Aoki, et al.					
					FILING DATE:		GROUF	GROUP ART UNIT:		
					January 21, 2004		Unknown			
TENT & TO	ADEI				<u></u>					
REFERE	NCE DI	SIGNATION	U.S. PATE	NT DO	CUMENTS	<u>.</u>	·			
EXAM'R INITIAL		DOCUMENT NUMBER	DATE		NAME	Class	Subclass	Filing D		
	A1	6,441,955 B1	08/27/2002	Ta	akatsu, et al.					
	A2	6,546,163 B2	04/08/2003	TI	nackara					
	A3	6,553,175 B2	02/22/2003	Ja	span				_	
	A4									
	A5									
	A6								-	
	A7									
	A8									
								<u> </u>		
EXAM'R		DOCUMENT	FOREIGN PATE	COUN		CLASS	Subclass	TRANSLAT'N		
INITIAL		NUMBER	DAIL					yes	no	
INITIAL										
INITIAL	B1									
INITIAL	B1 B2									
INITIAL		OTHER ART (In	actude Author	Title	Date Pertiner	nt Pages F	ite)			
INITIAL		OTHER ART (Ir	nclude Author	Title,	Date, Pertiner	nt Pages, E	itc.)			

EXAMINER

DATE CONSIDERED

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to Applicant(s).